

four local newspapers and about six radio stations. It was unusual to attend any community meeting without at least two reporters in the room with tape recorders and microphones collecting information for the next morning's news broadcast.

The largest radio station in that time in the area was WRKD-MCM in Rockland, Maine. You could hear it playing in every garage and every local boatyard. It was the place that people tuned -- turned in for local updates on the weather, to listen to the local basketball game, to listen to the city council meeting.

One room of the broadcast studio was located right along Main Street, and that meant as you walked down the street you could see Don Shields sitting in the window wearing his headphones and talking into the microphone. He would always acknowledge you with a smile and say, oh, there's another local politician going by.

The last night of our -- during the last month of my campaign, my opponent and I had a live debate from that studio at 6:30 on a Sunday night. It was broadcast only on AM, but the race had gotten a little bit hot and it turned out that everybody listened to it, even if they had to sit in their car to find an AM radio station.

That debate changed the outcome of my race, and it

certainly made me aware of the enormous power of the ability of local radio to inform the public and shift their opinion. I really saw the power a couple of years later when I was representing the City of Rockland in the Senate. While this is another local story, I think that it serves as a great example of how local ownership can have a tremendous influence on how the public makes decisions.

Rockland has a great history as a fishing and fish processing town, but in the mid 1990's the fishing fleet had seriously dwindled, and the city was looking for ways to revitalize the economy of this very pretty coastal town. It was having a hard time shaking its reputation as the working neighbor to the tourist town of Camden. In fact, they were known as Camden by the sea, and Rockland by the smell.

A key source of the problem was an underdesigned local sewer plant that was overtaxed with the waste from a seaweed processing plant and a lot of fish processors. It was a big source of jobs and income, and vote after vote people wouldn't approve a change in something to do about the sewer system.

In those days, Peter Orrin was a station owner and he exemplified the kind of owner who understood his obligation. He was active in the community and a

variety of businesses, and while clearly a devoted Republican not always supportive, he clearly believed that he should use his station to make sure all voices were heard. He decided, after being frustrated by debate, that they should have a two hour forum on the issue; something a manager whose programming was coming halfway around the country could never do.

He made sure every point of view was represented. He presented a variety of information. He did it all in front of a live audience with call-in questions. People got all the information that they needed to make a good decision, and soon after it changed the vote -- an overwhelming vote and decided to do something about the sewer problem. If you go to Rockland today, it's a thriving and vital community.

Peter is no longer with us, sadly, and after the Telecom Act of 1996, half of the radio stations in the mid coast area became Clear Channel properties operated by strangers a long way from our Main Street. Today the only radio station in the county belongs to a low-power FM station where they gallantly struggle to be a local voice with volunteers and little or no money. Honestly, it is just not the same.

As you know, this story could be told across the country, and I know you'll have a chance to hear from

our many wonderful legislators who will talk about the downsizing of the coverage in the state house and a variety of other things we face in Maine to make sure we get the information that we need; but I firmly believe that local media should -- consolidation should favor localism.

I also believe that the weakening of the licensing requirements, as Commissioner Copps said, a vigorous community based process every three years to the toothless system now, has had a terrible effect. This, along with a loss and weakening of the rules of the Fairness Doctrine, equal time provisions have undermined the ability of public to access good information and made it much more difficult.

(Audience applause.)

MR. ENSSLIN: Thank you, Ms. Pingree.

MS. PINGREE: Can I have back my last ten seconds?

Let me just say this last thing. It's made it much more difficult for those in elected office to have an honest and open dialogue with the public on critical issues of our time: From health care to taxes and global warming, as well as the decision to go to war.

I just want to say you all carry a heavy weight on your shoulders and bear a large responsibility to ensure that we live in a well-informed democracy. There is

much damage to be undone. I thank you for coming to our state to listen to so many strong voices, and I beg you to take the actions necessary so reverse this trend.

Thank you

(Audience applause.)

MR. ENSSLIN: Thank you, Ms. Pingree.

Mr. Ross.

MR. ROSS: Good afternoon. My name is Dennis Ross, and I am founder and president of WJZP-LP located in Portland, Maine. I want to thank you for the opportunity to participate in these hearings today, and appreciate the leadership of the FCC and the Chairman for restoring nationwide hearings on issues of media localism and ownership.

I am here today to do two things. First, ask the Commission to tell Congress to pass the Local Community Radio Act of 2007; and second, express my disappointment over the racial and gender disparities in media ownership.

(Audience applause.)

A lack of diverse representation employed in media and the limited access of all communities have to local issues to be covered adequately in their local media.

Let me start by giving you an understanding of WJZP-LP. I came to Portland over 10 years ago after

working in southern California in several different capacities in the radio industry. After a year or two of not having access to a diverse radio format featuring popular jazz and contemporary adult R&B or community-based news, I became committed to establishing a nonprofit community radio station that successfully combined great music with local news, coverage of events, and to provide a vehicle for the community to develop other appropriate programs.

I believe we're on the way to becoming that station. It took me eight years to get the station, and right now WJZP has truly a unique place on the greater Portland airwaves. In existence for the past two years, we have successfully brought together a diverse and multicultural listening audience, and the response from our listening community has been positively overwhelming.

We have received numerous feedback that we have significantly added to the quality of life in Portland, and that there has been no other consistent access to jazz and adult R&B. We have been applauded for giving the area a more multicultural media outlet and receive letters from several local organizations, that if WJZP-LP did not help advertise their events, they would not have been able to promote them. As wonderful as

this is, WJZP-LP has limited broadcasting range due to interference from WTOS, a full-power station broadcasting on the same channel from 90 miles away.

We would like to eliminate this problem by moving to a new frequency, 105.3, but according to current rules we are not allowed to occupy this channel because there is an FM translator within three adjacent channels. However, there is a solution. The MITRE, for the record M-I-T-R-E, study has proven that the third adjacent protection rules are unnecessary for LPFM's; and second adjacent channel protection will provide ample protection to other stations.

Furthermore, the translator is repeating a signal from Waterville, a city 75 miles away from Portland, rather than airing locally originated programming.

With this understanding, I would like to ask that the Commissioners tell Congress to pass the Local Community Radio Act of 2007. This act will eliminate the third adjacent minimum spacing requirement, making more space for stations like mine across the country.

The third adjacent protection will remain only for stations broadcasting the radio reading service for the blind. This bill will also ensure that translator stations are licensed only when there is also space available for low-power FM stations, and that decision

regarding translators and LPFM's are made based on the needs of the local community.

To my second concern about the disparity in minorities and women ownership, and lack of access. I merely point out, as previous testimonies and studies done around the country have already indicated, that the increasing consolidation of ownership is making a majority of Americans and their opinions invisible on what is supposed to be public airwaves. This only adds to the --

(Audience applause.)

This only adds to the stereotypes and coverage of just the negative. No positive stories or pieces that help to nurture and build strong individuals, neighborhoods or communities. The only conclusion one can then make is that one of the most powerful industries in America does not support opportunities for diverse, independent public access and community media, thereby ensuring free and fair access to information.

That concludes my remarks. I want to once again thank the Committee for the time and the opportunity to participate in this esteemed panel.

(Audience applause.)

MR. ENSSLIN: Thank you, Mr. Ross.

Ms. Scott.

THE REPORTING GROUP



MS. SCOTT: Thank you for allowing me to speak about the importance of localism in broadcasting. Up until my recent retirement, I worked as an anchor and reporter first in Seattle and then New England for 40 years. I was the longest serving president of my union, AFTRA. I'm a part-time resident of Portland. In fact, I live on an island here that is not wired for cable. In other words, I get my television the old-fashioned way: Rabbit ears.

I'd like to call your attention to a few pointed examples of how the Commission's media ownership regulations are an important part of preserving localism in broadcasting. Here in Portland, and in all communities across New England, the erosion of meaningful ruled governing ownership of newspapers and broadcast stations has been a disaster for localism.

Nonetheless, there's been a lot of speculation that the Federal Communications Commission is on the verge of eliminating the newspaper/broadcast cross-ownership provision as part of its review of existing ownership rules.

If this important protection for preserving localism was eliminated, what could it mean for Portland? Gannett, a large newspaper company with significant broadcast holdings, happens to own the

leading station in this market. Gannett is free to purchase the only newspaper in town. Will they provide a different editorial perspective in the newspaper as they do on their TV station, or will they do as other companies have done around the country: Synergize resources, recycle and repurpose content, and cross-promote their properties?

(Audience applause.)

In Chicago, where the Tribune Company has a waiver allowing the company to own the Chicago Tribune and Superstation WGN, the company has routinely featured newspaper reporters filing stories and commentary on their TV station. And the Trib has also asked TV reporters to rewrite their broadcast packages as feature stories for their newspapers. So whether you're reading the Trib or watching the Tribune TV station, you're actually getting the same viewpoint from the same source, just in a slightly different form.

(Audience applause.)

Not only does the Tribune recycle and repurpose content in Chicago and other cities where they have the waiver, here in New England they behave anti-competitively as well.

Just this month in Connecticut, for example, the Hartford Courant recently ran a front-page article

criticizing a few veteran television journalists for contacting legislators on pending legislation that related to employment in the broadcast industry. The article, with its sensational headline, implied that it is wrong for journalists to support legislation that impacts their profession. Of course, nothing could be farther from the truth. Fair and unbiased journalism does not require journalists to forfeit their rights as citizens to contact their elected representatives on issues that affect them directly.

The trouble with the Courant article was that it did not disclose its own conflict of interest. The front page article that attacked journalists at a Meredith-owned TV station failed to disclose three critical facts: That the Tribune Company, which owns the Courant, also owns two television stations in Hartford, through a waiver of the FCC crossover ownership rule; that the general manager of those stations is a director of the Connecticut Broadcasters Association, which had aggressively lobbied against the bill in question; and that the journalism expert quoted in the article is a paid columnist whose pieces are syndicated by McClatchy-Tribune Direct.

Although dozens of broadcasters contacted their legislators regarding the bill, the Courant chose to run

a front-page story attacking the credibility of broadcasters from only one station, its biggest competitor, while failing to report on the substance of the legislation and what it would have meant for local communities. The Tribune Company's unfounded attack on the professional ethics of veteran journalists while failing to come clean on its own conflicts of interest, raises eyebrows and serious questions about whether it is necessary to reinstate the newspaper/broadcast cross-ownership restriction, and whether the Tribune's waivers to rule -- to that rule should be continued.

I spent a lot of time talking about a single company and why it should -- a newspaper and broadcast shouldn't be the same. And I know you were in Boston and heard about WILD. I'm running out of time, so I'm ad-libbing, which you're not supposed to do as a journalist -- but WILD lost the only voice in Boston for African-Americans, was in that LMN, you know those new things that they're doing and they're getting around all your rules and figuring out how, well, if we just sort of do this, we can do that. And then -- then the voices are lost.

Diversity is lost unless there's --

(Audience applause.)

Diversity is lost unless there is localism, and

THE REPORTING GROUP

localism in large conglomerates, especially in the newspaper and broadcast industry, is not working.

Thank you for hearing me out.

MR. ENSSLIN: Thank you, Ms. Scott.

MS. SCOTT: I hope that on behalf of the American Federation of Television and Radio Artists, as a former broadcaster, and as a viewer who needs and wants local news -- on my rabbit ears -- I urge the Commission to maintain meaningful regulations governing media ownership to protect local news, information, and entertainment here in Portland and all around the country.

Thank you very much for coming up to visit.

(Audience applause.)

MR. ENSSLIN: Thank you, Ms. Scott.

Mr. Thaxton.

MR. THAXTON: Good evening. My name is Steve Thaxton. I'm the President and General Manager of WCSH Channel 6, the NBC affiliate here in Portland. WCSH is indeed owned by the Gannett Company, and when it purchased the station from the original family owners nine years ago, I was the only Gannett employee from away to join the station.

Competition in today's media environment is intense. Consumers have more choices for news and

information than any time in history, presenting an enormous challenge for our local business.

The culture of our station is defined by an intense pride in localism. Locally developed programs, strong news, weather, and public service are integral to who we are and what we stand for. The culture developed under the Rines-Thompson family for 45 years has continued, and I believe been enhanced by the Gannett Company.

Our first test came literally hours after the sale of the station was closed. The now-legendary ice storm of '98 resulted in our station becoming the state's official call center for emergency information. Today, WCSH continues to maintain the largest and most experienced team of broadcast meteorologists in the state, recognizing the ultimate priority of severe weather coverage to our responsibilities to community.

Back in 1998, WCSH produces five daily newscasts and four on weekends, totaling 25 hours of local news weekly. Under Gannett ownership, we have added four separate local news and information programs and extended two of our existing newscasts by an additional full hour each. Today WCSH produces 37 hours of regularly scheduled local programs each week, or 624 more hours of local programming than in 1998 each year.

For example, in 2003 we launched a live local week-

night news magazine called 207, after Maine's lone area code. Since premier, that program has featured more than a thousand segments on local arts, local entertainment, local education and history, and nonprofit groups. 213 of those segments were devoted to performances by local musicians and singers. When issues merit, 207 becomes a debate or discussion forum. I'm pleased to say that the program consistently rates number two in the 7:00 p.m. time slot, next only to the venerable Wheel of Fortune.

WCSH News Center 6 has been the highest rated local news source consistently for 26 years. The 6:00 p.m. newscast is watched by more than 90,000 viewers, and that's between 15 and 20 percent of the markets total households each night.

For over 30 years WCSH has aired editorials intended to stir the pot of local discussion. 42 year veteran Fred Nutter invites citizen response with a well known line here in Maine, "that's our opinion, we welcome yours." Citizen responses run about once for every six editorials.

Besides regularly scheduled programs, we're committed to creating special programs that are usually event driven or focused on politics or candidate debates. In these cases, we often choose to preempt

NBC's network programming which is of lesser interest to Mainers. A number people giving testimony today have appeared on these programs in the past, and I hope they will in the future.

To date, WCSH has created and marketed only two locally originated high definition specials, highlighting the spectacular scenery and unique characters of Maine. These specials were produced and presented by our 35-year veteran reporter Bill Green, who brings us a weekly program of a similar theme.

Our culture of localism includes many community projects, and we initiate those projects. In 2006, we created, partnered, and ran nine separate major campaigns ranging from a statewide food drive, to the largest single day art festival on the eastern seaboard, to a campaign to recognize and recruit volunteers for hundreds of Maine causes. Beyond our employees' coordination and production efforts, WCSH contributed more than \$2.8 million in air time value to these and similar campaigns.

The fact is, that despite the emotional rhetoric about big media, at its core, a local television station exists to serve its community. It's the leadership team here in Maine, not back in corporate headquarters, that determines the daily news content, projects, and



programming strategies to meet Mainer's information needs. There are 135 of us who live scattered throughout the Portland market of various ethnicity, religion, political persuasion and sexual orientation. We volunteer in our communities as EMT's, literacy tutors, school fundraisers and mentors. We stock food pantries. We collect coats for kids, and we coach sports teams.

We value a world of different voices, and we try to present as many views as we possibly can in our content. What unites us is a commitment to serve our community with lifesaving information, important facts, and inspiring stories of outstanding Mainers.

(Audience applause.)

MR. ENSSLIN: I want to thank all of our panelists because it was an outstanding -- each and every one of you gave great presentations. Thank you very much.

In just a few minutes, were going to hear from the public in the open comment part of the meeting. This concludes the panel discussion, and the panelists are welcome to take seats in the audience at this time if you would like.

I would like to also mention, I see folks here standing on this side, and I think on that side, and there are plenty of seats here, especially on the

left-hand side. And there's also seats in the center area. There are some folks with cameras, and it looks like people are not sitting right around them, but anyone who wants to can take one of those seats. So now might be a time to do that.

Now, there is one thing I would like to do before we hear from the people who signed up at the registration in the lobby, and that is I would like to recognize a small number of people at this time who were not on the panel, really because we didn't have enough time for everyone who really deserved to be on the panel who had a message that is very pertinent to this topic and of interest to the Commission in this audience here.

So what I'd like to do at this time, is if we could turn this clock around on the stage that the panelists were looking at -- and, by the way, the panelists did a great job of adhering to the strict time limit.

Of course they had five minutes, and that's a lot more than two minutes, but we're going to set this clock to two minutes where everyone can see it. I think when there's about 15 seconds to go, is when it's going to start flashing yellow -- 15 or 20 or 30 seconds, so you know your time is just about up. When the red light goes on, then your time is up.

But before we get to the folks who have signed up, I would like to mention the names of people we have here who are going to be the first individuals to speak from these microphones. And if you're here, would you be able to come forward at this time. Dora Anne Mills is here with the Maine Center for Disease Control and Prevention. Dora Anne, are you here?

MS. TURNER: Hello. My name is Aimee Turner, and I'm here on behalf of Dr. Mills.

MR. ENSSLIN: Oh, okay. Well, I tell you what, Aimee, if I could call a few other people, and maybe they can stand by that microphone, we'll just -- that may save some time. I think Rob McAleer is here from the Maine Emergency Management Agency. Rob, are you here?

MR. McALEER: I am here.

MR. ENSSLIN: Okay. And you can just stand by that microphone. Lieutenant Timothy Doyle from the Department of Public Safety here -- is -- Lieutenant Doyle is right here. And we also want to recognize Irwin Gratz, who is here with the Society of Professional Journalists. Irwin, are you in the audience? And then Adam Lacher, who is with WERU.

Why don't we start, if we could, with the representative from the Maine Center for Disease Control

and Prevention. That's your organization, right?

MS. TURNER: Yes. Thank you. My name is Aimee Turner, and I'm here to represent Dr. Mills from the Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention. Dr. Mills has a long-standing commitment in another part of the state, and I'm here to submit testimony on her behalf.

I am the Public Health Director for the State of Maine, and, as such, direct the Maine Center for Disease Control and Prevention. We are fortunate in Maine to enjoy a terrific working relationship with our radio and TV stations. They support our public education efforts on drug abuse prevention, smoking cessation, immunization, cancer screening and prevention, emergency preparedness and numerous other initiatives.

We'll have to rely on the media if a pandemic flu situation or other widespread public health emergency comes our way, and the broadcasters have been an integral part of our planning and preparedness initiatives. When we need to get a public health message out quickly, we know we can always rely on the radio and TV stations in Maine to give us their full cooperation. They don't wait for us to contact them. They contact us and ask how they can help, what messages we need to get out, and what else they can do to assist

is us our efforts.

One shining example of this was the January 1998 ice storm in which most of the population of our State did not have electricity, yet Maine's broadcasters worked with emergency officials to assure that the listening public had the information they needed to stay healthy and safe.

Maine's broadcasters make our job of protecting the public health a lot easier, and we are very appreciative of their commitment to our state.

Sincerely, Dr. Dora Anne Mills, M.D., Director of Maine CDC. Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you.

Rob McAleer.

MR. McALEER: My name is Robert McAleer. I'm the Director of the Maine Emergency Management Agencies. I'm pleased to offer these comments on Maine broadcaster support of their local communities. From an emergency management perspective, this support is strong.

A typical example would be this past April during a dangerous coastal storm. Maine broadcasters delivered virtually nonstop emergency information and safety advice. Hourly we received calls from broadcasters not just looking for news, but asking what messages do you

need us to get out to make sure people hear.

That attitude is typical of the relationship we enjoy with the industry here in Maine. 100 percent of our broadcasters have voluntarily agreed to air all emergency alert system messages initiated by the State. Their cooperation is a tremendous resource for us and helps save lives.

Maine's broadcasters also support community safety in nonemergency times. This spring WAGM-TV in Presque Isle partnered with the Aroostook County Emergency Management Agency and the National Weather Service to present a week of flood preparedness and safety information. They devoted a significant portion of each night's newscast to this subject, as well as broadcasting public service announcements.

We've also partnered with the broadcasters as groups to create and air Maine focus messages stressing personal disaster preparedness. The ability to do this economically by working with the industry as a whole has been invaluable.

In addition, one broadcast group is currently working with us to create a disaster library for their on-air staff, an inhouse reference of vital safety information for an emergency. Maine's broadcasters understand the public obligation to provide emergency

information and know that to do that, they have to stay on the air.

In May, Governor Baldacci personally tested the capability of the United Radio Broadcasters of Eastern Maine. Nine commercial radio stations and seven statewide stations of the Maine Public Broadcasting Network have teamed up to share infrastructure and even personnel in the case of an emergency.

We hope to see this innovative partnership replicated in all markets across the state. We continue to work in strengthening the connection on the local level between broadcasters and emergency managers. We expect to see the current trend toward greater resilience and stronger local relationships continue to grow and prosper.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Mr. McAleer.

Lieutenant Doyle?

LT. DOYLE: Good evening. My name is Lieutenant Tim Doyle, and I'm pleased to be here representing Commissioner Anne Jordan and the Maine Department of Public Safety.

The Maine Department of Public Safety is pleased and fortunate to share an excellent working relationship

with Maine's radio and television media. The media have always been accommodating when it comes to assisting our department with the public safety needs of our citizens. Broadcasters are always there for us to get the word out when there's a wanted person or when law enforcement needs the public's assistance with an active criminal investigation.

One recent example occurred just last week in Westbrook. The Maine State Police and Westbrook Police asked for the community's assistance with an ongoing homicide investigation. The stations in the greater Portland market carried that message for us. A service such as that is helpful to our investigators by assisting them in generating new leads.

Maine's broadcasters have also assisted the Maine State Police Criminal Division with media training for the last 15 years. We believe this training has proven valuable, for not only our investigators by giving them information on what the various media are seeking to obtain at crime scenes and what their deadlines are, but also serve to inform the media on the various responsibilities of our investigators. The end result has been a better flow of information to the public.

Broadcasters have also assisted whenever major crashes cause congestion and delay to Maine's highways,



especially I-295 and the turnpike. Local media, especially radio broadcasters, get the word out quickly to help troopers ease traffic disruptions. This not only helps by averting motorists from unnecessary delay, but also helps troopers more easily perform their duties while keeping traffic flowing.

Finally, perhaps the greatest example of cooperation the Department receives from Maine broadcasters has been the adoption of Maine's Amber Alert plan. In 2002, Maine's Association of Broadcasters took the lead when it came to creating and implementing Maine's Amber plan. They've worked with the Maine State Police, who coordinate the plan, to put the plan in place prior to it being Federally required and without the use of any tax payer dollars.

MR. ENSSLIN: Lieutenant Doyle, your time is up. Thank you.

LT. DOYLE: Thank you.

(Audience applause.)

MR. ENSSLIN: Irwin Gratz with the Society of Professional Journalists.

MR. GRATZ: Thank you, and good evening Commissioners. My name is Irwin Gratz. I'm a morning news anchor at the Maine Public Broadcasting Network, but I offer these comments today on behalf of the